

### **REMARKS**

Claims 1-20 are pending in the above-identified application.

#### **Request for Interview with Patent Examiner**

Applicant's representative respectfully requests an Interview with the Patent Examiner in connection with this application in order to address the issues discussed in the Advisory Action of November 22, 2006, as well as the previously submitted points provided in the Response to Final Office Action filed on November 6, 2006. It is understood that the Patent Examiner has criticized the amount of comparative test evidence provided in connection with the present claims. Applicant's representative would like to discuss this issue together with the asserted basis for non-obviousness in view of the cited references. It is requested that the Examiner await the outcome of the Interview before issuing any Office Action. If the Examiner must issue an Office Action, it is requested that it not be made "Final" in order to allow Applicant to have a chance to submit any further claim changes, arguments/or evidence in support of the patentability of the present claims. Applicant's representative will contact the Examiner to request the Interview within one month of the filing of the present RCE and Submission.

#### **Arguments Supporting Patentability of Claims**

Applicants respectfully submit that the present claims are patentable based on the reasons provided in the Response filed November 6, 2006, which are deemed repeated herein. It is respectfully emphasized that the proposed combinable herbicidal compounds described in WO '607 (WO 98/46607) and Eicken '493 (USP 5,589,493) differ significantly with respect to chemical structure features when compared to the combined herbicidal compounds recited in the present claims. Thus, these references fail to provide an adequately specific suggestion to combine the claimed compounds together in support of prima facie obviousness.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: January 3, 2007

Respectfully submitted,

By 

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